

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

the specification of which (check one)

\_\_\_\_\_ is attached hereto

X was filed on February 22, 1999  
as application Serial No. ELO79676529US

\_\_\_\_\_ and was amended on: \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed	
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
<u>60/083,636</u> (Number)	<u>April 30, 1998</u> (Day/Month/Year Filed)
_____ (Number)	_____ (Day/Month/Year Filed)
_____ (Number)	_____ (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Title: "MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY"  
By: Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub  
Filed: February 22, 1999  
DECLARATION

(Application Serial No.)

(Filing Date)

Status  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

Status  
(patented, pending, abandoned)

As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Patrea L. Pabst	31,284
Collen A. Beard	38,824
Robert A. Hodges	41,074
Kevin W. King	42,737

Send Correspondence to: Patrea L. Pabst, Esq.  
ARNALL GOLDEN & GREGORY LLP  
2800 One Atlantic Center  
1201 W. Peachtree Street  
Atlanta, GA 30309-3450

Direct telephone calls to: Patrea L. Pabst (404) 873-8794

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Howard Bernstein  
Inventor's signature Howard Bernstein Date 2-17-99  
Residence 929 Massachusetts Avenue, #2B, Cambridge, Massachusetts 02139  
Citizenship Canada  
Post Office Address Same

Full name of sole or first inventor Donald Chickering  
Inventor's signature Donald Chickering Date 2/17/99  
Residence 3 Holly Way, Framingham, Massachusetts 01701  
Citizenship U.S.  
Post Office Address Same

Full name of sole or first inventor Sarwat Khattak  
Inventor's signature Sarwat Khattak Date 2/18/99  
Residence 98 Pine Street, #1, Cambridge, Massachusetts 02139  
Citizenship U.S.  
Post Office Address Same

Title: "MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY"  
By: Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub  
Filed: February 22, 1999  
DECLARATION

Full name of sole or first inventor Julie Straub  
Inventor's signature Julie Straub Date 2-18-99  
Residence 47 George Road, Winchester, Massachusetts 02472  
Citizenship U.S.  
Post Office Address Same

[illegible]



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MAY 20, 1999

PTAS

ARNALL, GOLDEN & GREGORY, LLP  
PATREA L. PABST  
2800 ONE ATLANTIC CENTER  
1201 W. PEACHTREE ST.  
ATLANTA, GA 30309-3450



\*100978527A\*

jc853 U.S. PTO  
09/13/12  
12/06/00

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/22/1999

REEL/FRAME: 9786/0486

NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BERNSTEIN, HOWARD

DOC DATE: 02/18/1999

ASSIGNOR:

CHICKERING, DONALD

DOC DATE: 02/18/1999

ASSIGNOR:

KHATTAK, SARWAT

DOC DATE: 02/13/1999

ASSIGNOR:

STRAUB, JULIE

DOC DATE: 02/18/1999

ASSIGNEE:

ACUSPHERE, INC.  
38 SIDNEY STREET  
CAMBRIDGE, MASSACHUSETTS 02139

SERIAL NUMBER: 09255179

FILING DATE: 02/22/1999

PATENT NUMBER:

ISSUE DATE:

RECEIVED

JUN 01 1999

PATENT DEPT.

DOCKETED FOR ACU 105  
BY TSH

9786/0486 PAGE 2

JACQUELINE MOORE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

FORM PTO-1619A  
Expires 06/30/99  
OMB 0651-0027

03-03-1999

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

1055 U.S. PTO  
09/731412

12/06/00

MRD  
2.22.99



100978527

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies)

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Document ID#
- ☐ Correction of PTO Error  
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- ☐ Corrective Document  
Reel #  Frame #

**Conveyance Type**

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other
- U.S. Government**  
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- ☐ Departmental File ☐ Secret File

1055 U.S. PTO  
09/255179

02/22/99

**Conveying Party(ies)**

☒ Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
02/18/99

Name (line 1)

Name (line 2)

**Second Party**

Name (line 1)

Execution Date  
Month Day Year  
02/18/99

Name (line 2)

**Receiving Party**

☐ Mark if additional names of receiving parties attached

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

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Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

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1551 U.S. PTO  
09/255179

12/22/99

U.S. Department of Commerce  
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PATENT

1551 U.S. PTO  
09/255179

12/22/99

Conveying Party(ies)

☒ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) Sarwat Khattak

Execution Date  
Month Day Year  
02/18/99

Name (line 2)

Name (line 1) Julie Straub

Execution Date  
Month Day Year  
02/18/99

Name (line 2)

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Receiving Party(ies)

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3) City State/Country Zip Code

Name (line 1)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3) City State/Country Zip Code

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)



**Correspondent Name and Address**

Area Code and Telephone Number

404-873-8794

Name Patrea L. Pabst

Address (line 1) Arnall, Golden & Gregory, LLP

Address (line 2) 2800 One Atlantic Center

Address (line 3) 1201 W. Peachtree Street

Address (line 4) Atlanta, GA 30309-3450

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# 5

**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

022299

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT

PCT

PCT

PCT

PCT

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**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:  
Deposit Account

Enclosed ☒

Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 01-2507

Authorization to charge additional fees:

Yes

☒

No

☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Patrea L. Pabst

Name of Person Signing

Signature

02/22/99

Date



## ASSIGNMENT

We, Howard Bernstein of 929 Massachusetts Avenue, Cambridge, Massachusetts 02139, Donald Chickering of 3 Holly Way, Framingham, Massachusetts 01701, Sarwat Khattak of 98 Pine Street, #1, Cambridge, Massachusetts 02139 and Julie Straub of 47 George Road, Winchester, Massachusetts 01890 in consideration of Ten Dollars and other valuable consideration paid to us by Acusphere, Inc., a corporation of Massachusetts having its principal place of business at 38 Sidney Street, Cambridge, Massachusetts 02139, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Acusphere, Inc., its successors and assigns, the entire interest for the United States of America and its territories and all foreign countries and jurisdictions including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in "MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY" described in an application filed in the United States Patent and Trademark Office on February 22, 1999 by Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub which claims priority to U.S.S.N. 60/083,636 filed April 30, 1998, and in all Letters Patent of the United States of America and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuation, continuation-in-part, renewals, reissue or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

Title: "MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY"

By: Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub

Filed: February 22, 1999

ASSIGNMENT

WITNESS my hand and seal this 18 day of February, 1999.

Howard Bernstein

Howard Bernstein

County of

Middlesex

)

SS

State of Massachusetts

)

Then personally appeared the above named Howard Bernstein and acknowledged the foregoing instrument to be his/her free act and deed, before me, this 18 day of February, 1999.

Margorie H. Baiardi

Notary Public

MARGORIE H. BAIARDI

7-24-03

Title: "MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY"

By: Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub

Filed: February 22, 1999

ASSIGNMENT

WITNESS my hand and seal this 18 day of FEBRUARY, 1999.

  
Donald Chickering

County of

Middlesex

)

ss

State of Massachusetts

)

Then personally appeared the above named Donald Chickering and acknowledged the foregoing instrument to be his/her free act and deed, before me, this 18 day of February, 1999.

  
Notary Public

MARSORIE H. BAIARDI

7-24-03

Title: "MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY"  
By: Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub  
Filed: February 22, 1999  
ASSIGNMENT

WITNESS my hand and seal this 18 day of February, 1999.

Sarwat Khattak

Sarwat Khattak

County of

Middlesex

)

SS

State of Massachusetts

)

Then personally appeared the above named Sarwat Khattak and acknowledged the foregoing instrument to be his/her free act and deed, before me, this 18 day of February, 1999.

Manone H. Baroudi  
Notary Public

MANORIE H. BAROUDI

7-24-03

Title: "MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY"  
By: Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub  
Filed: February 22, 1999  
ASSIGNMENT

WITNESS my hand and seal this 18 day of February, 1999.

Julie Straub  
Julie Straub

County of

Middlesex

)

SS

State of Massachusetts

)

Then personally appeared the above named Julie Straub and acknowledged the foregoing instrument to be his/her free act and deed, before me, this 18 day of February, 1999.

Marjorie H. Bauri  
Notary Public

MARJORIE H. BAIRAI

7-24-03